

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Education (SE) Department – Allegation of corruption against Sri B.Srinivasulu, School Assistant, who worked as Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District – Sanction of Prosecution – Orders – Issued.

EDUCATION [SE-Vig.I(1)] DEPARTMENT

G.O.Ms. No. 54.

Dated : 22.05.2009.

ORDER :

Whereas, Sri B.Srinivasulu has joined as School Assistant on 17.10.2002 and worked as Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District, during the period from June, 2006 to 15.10.2008 and as such he is a Public Servant within the meaning of section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

And whereas, it is alleged that on 14.10.2008 at about 12.30PM, Sri Sirisala Balram, son of Sri late S.Kistaiah, age 60 years, retired Attender, resident of H.No.1-7-185/B/1, Hanuman Nagar, Mahabubnagar, came to the ACB office, Hyderabad and submitted a written complaint in Telugu to the Joint Director, Anti Corruption Bureau, CIU, wherein he stated that he retired from service as Attender from Zilla Parishad High School, Parpally, Mahabubnagar District. He submitted all the papers relating to his pension to the Head Master i.e., Sri B.Srinivasulu. Sri B.Srinivasulu, Head Master(FAC), forwarded his pension papers and G.P.F. application to the Zilla Parishad, Mahabubnagar. Sri B.Srinivasulu, Head Master(FAC), has to issue proceedings relating to earned leave during summer vacations for the years 2006, 2007 and 2008 and forward particulars of Family Benefit Fund and Group Insurance refund to the Deputy Chief Executive Officer, Zilla Parishad, Mahabubnagar District. During the last one month, Sri S.Balaram met Sri B.Srinivasulu, Head Master(FAC), several times and requested for doing his work, but Sri B.Srinivasulu, Head Master(FAC), demanded Rs.5,000/- as bribe for issuing proceedings and to forward particulars of family benefit fund and Group Insurance refund to the Deputy Chief Executive Officer, Zilla Parishad, Mahabubnagar District. When Sri S.Balaram pleaded with Sri B.Srinivasulu, Head Master(FAC), that he is a retired Attender and poor man and can not pay Rs.5000/- as bribe and requested to help him since he worked as Attender under him. Sri B.Srinivasulu, Head Master(FAC), did not heed his request and made clear that he would do his job only on payment of bribe of Rs.5000/-. On 14.10.2008, Sri S.Balaram met Sri B.Srinivasulu, Head Master(FAC), at his house at Mahabubnagar in the morning at 7.30 AM and when enquired about his work, Sri B.Srinivasulu, Head Master(FAC), enquired whether the demanded bribe amount of Rs.5000/- has been brought or not. Sri B.Srinivasulu, Head Master(FAC), reiterated his earlier demand of bribe of Rs.5,000/- and asked Sri S.Balaram to come to his house on the next day along with the demanded bribe amount of Rs.5,000/- and that he would issue the proceedings and send particulars of Family Benefit Fund and Group Insurance Fund along with Service Book to the Deputy Chief Executive Officer, Zilla Parishad, Mahabubnagar District, through Sri S.Balaram only.

And whereas, Sri S.Balaram was not willing to pay the bribe of Rs.5,000/- to Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District and requested to take necessary action against him.

And whereas, on receipt of the complaint from Sri S.Balaram, a case in Cr.No.22/ACB-CIU-HYD/2008 under section 7 of the Prevention of Corruption Act, 1988 was registered on 15.10.2008 at 5.00 AM against Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District, after completing the formalities. The Deputy Superintendent of Police, Anti Corruption Bureau, C.I.U., organized a trap on 15.10.2008 against Sri B.Srinivasulu at the residence of Sri B.Srinivasulu, Head Master(FAC), situated at Newgunj, Hanumannagar, Mahabubnagar Town, Mahabubnagar, house bearing No.1-7-183/9B in the presence of mediators after following all the formalities stipulated for a trap.

And whereas, on 15.10.2008 i.e., on the date of trap, when Sri S.Balram met Sri B.Srinivasulu, Head Master(FAC) at his residence, he enquired with Sri S.Balram whether the demanded bribe amount of Rs.5,000/- was brought or not. Sri S.Balram gave an affirmative reply, then Sri B.Srinivasulu, Head Master(FAC), asked him to pay the amount. Then Sri S.Balram took out the tainted currency notes from his right side pant pocket and gave the bribe amount of Rs.5,000/- to Sri B.Srinivasulu, who received the bribe amount of Rs.5,000/- with his right hand, counted the same with his both hands and kept the bribe amount in the front left pocket of his wearing shirt. Then Sri B.Srinivasulu handed over the original Service Book and papers relating to Sri S.Balram's pensionary benefits. Sri B.Srinivasulu, Head Master(FAC) also gave a receipt written by him and instructed Sri S.Balram to submit all the papers and Service Register to the Deputy Chief Executive Officer, Zilla Parishad, Mahabubnagar and obtain signature on the receipt.

And whereas, the tainted currency notes of Rs.5,000/- were recovered from the possession of Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally Village, Koilkonda Mandal, Mahabubnagar District, at his instance on his production from his left side shirt front pocket in the presence of mediators and seized the said amount of Rs.5,000/- under the cover of post trap proceedings.

And whereas, the phenolphthalein test conducted over both hand fingers of Sri B.Srinivasulu, Head Master(FAC) and the inner flap on the left front shirt pocket of Sri B.Srinivasulu in which he kept the tainted amount yielded positive results. All the material documents were seized during the trap proceedings drafted from 10.00 AM to 1.15 PM on 15.10.2008.

And whereas, the said acts of Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District, constitute offences punishable under sections 7 and 13(2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988.

And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District from service, after fully and carefully examining the copies of complaint, F.I.R., Mediators Reports-I and II, statements of witnesses, seized documents and other material placed before them in respect of the said allegation and having regard to the facts and circumstances of the case, consider that the said Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District, should be prosecuted in a Court of law for the aforesaid offences.

Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri B.Srinivasulu, Head Master(FAC), Zilla Parishad High School, Parpally, Koilkonda Mandal, Mahabubnagar District, for the aforesaid offences punishable under sections 7 and 13(2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any provisions of law for the time being in force in respect of the above said allegation and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(K.R. KISHORE)
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General, Anti Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER